

IN THE SENATE

SENATE BILL NO. 1281

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-1202, IDAHO CODE, TO REVISE VIOLATION PROVISIONS RELATING TO THE WASTE, DESTRUCTION AND MUTILATION OF WILDLIFE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 36-1202, Idaho Code, be, and the same is hereby amended to read as follows:

36-1202. WASTEFUL DESTRUCTION OF WILDLIFE OR MUTILATION UNLAWFUL. It ~~is a misdemeanor for any person~~ shall be unlawful to:

(a) Waste. Through carelessness, neglect or otherwise, to allow or cause the waste of any game bird, game animal or game fish or any portion thereof usually eaten by humans.

(b) Destruction -- Mutilation. Capture or kill any game animal, except all carnivores but black bear, and detach or remove from the carcass only the head, hide, antlers, horns or tusks and leave the carcass to waste.

(c) Prima Facie. To fail to properly dress and care for any game animal except all carnivores but black bear killed by him and if the carcass is reasonably accessible; failure to take or transport same to his camp within twenty-four (24) hours shall be prima facie evidence of a violation of the provisions of this section.

(d) Livestock owners, their employees, agents and animal damage control personnel in protecting livestock as provided in subsection (b) of section 36-1107, Idaho Code, are exempt from subsections (b) and (c) of this section.